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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,208	02/11/2004	Yung-Hui Wang	4413-0139P	9981

2292 7590 02/26/2007  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
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YUN, EUGENE

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	02/26/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 02/26/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Office Action Summary**

Application No.

10/775,208

Applicant(s)

WANG, YUNG-HUI

Examiner

Eugene Yun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milan et al. (US 7,028,114) in view of Gunji et al. (US 7,079,822).

Referring to Claim 1, Milan teaches an auto-switching channel method of a unidirectional wireless receiver, comprising:

providing a unidirectional wireless receiver having an ID code, connected to a host (see col. 6, lines 3-6 and fig. 2 where fig. 2 shows the unilateral receiver 48a-48c);

providing a wireless peripheral device, wherein said wireless peripheral device comprises an ID code that is same as the ID code of said unidirectional wireless receiver so that said wireless receiver and said wireless peripheral device are capable of communicating with each other (see col. 6, lines 6-21); and

wherein when said wireless receiver receives interference signal from said wireless peripheral device, a channel of ID code of said wireless receiver is automatically switched to a channel that is same as a changed operative channel of said wireless peripheral device (see col. 6, lines 63-67).

Milan does not teach that when said wireless receiver receives interference signal from said wireless peripheral device, said wireless receiver sends out a notification to notify a

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user to switch a channel of the ID code of said wireless peripheral device to a next operative channel, and after the user switches the channel of the ID code of said wireless peripheral device to said operative channel, a channel of ID code of said wireless receiver is also switched to a channel that is same as said operative channel of said wireless peripheral device. Gunji teaches that when said wireless receiver receives interference signal from said wireless peripheral device, said wireless receiver sends out a notification to notify a user to switch a channel of the ID code of said wireless peripheral device to a next operative channel (see col. 13, lines 24-34), and after the user switches the channel of the ID code of said wireless peripheral device to said operative channel, a channel of ID code of said wireless receiver is also switched to a channel that is same as said operative channel of said wireless peripheral device (see col. 13, lines 52-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Gunji to said device of Milan in order to more efficiently increase the number of wireless peripherals usable on the same host device.

Referring to Claims 2 and 3, Milan also teaches a wireless mouse and a wireless keyboard (see col. 3, lines 27-30).

Referring to Claim 4, Gunji also teaches said wireless peripheral device comprising a channel switching button for allowing the user to switch said channel of ID code of said wireless peripheral device by activating said channel switching button (see col. 13, lines 57-64).

Referring to Claim 5, Milan also teaches said host as a computer (see col. 2, lines 50-52).

Referring to Claim 6, Milan also teaches a signal transmitted by said wireless peripheral device as a RF signal (see 48a-48c in fig. 2).

Referring to Claim 7, Gunji also teaches said notification for notifying the user to switch channel is provided by displaying flashing of an indicator light installed on said wireless receiver (see col. 13, lines 24-31).

Referring to Claim 8, Gunji also teaches said notification for notifying the user to switch channel is provided by playing a preset sound via an speaker installed on said wireless receiver (see col. 13, lines 24-31).

Referring to Claim 9, Gunji also teaches said notification for notifying the user to switch channel is provided by displaying a notice on a display screen connected with said host (see col. 13, lines 24-31).


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Eugene Yun  
Examiner  
Art Unit 2618

EY

  
MATTHEW ANDERSON  
SUPERVISORY PATENT EXAMINER